

**PLANNING BOARD MEETING MINUTES  
TUESDAY, AUGUST 21, 2007**

**MEMBERS PRESENT:** Paula Caron, Chair  
John DiPasquale  
Mike DiPietro  
Mike Hurley  
Paul Fontaine, Jr.  
Nancy Maynard  
Elizabeth Slattery

**PLANNING OFFICE:** David Streb, Mike O'Hara

**Call to Order**

Meeting called to order at 6:00 p.m. in the Veteran's Room, First Floor, City Hall.

**Communications**

Board informed that a petition for acceptance of Victoria Lane at Benjamin Estates as a public way has been submitted to City Clerk's office.

A Special Permit application for three-family at 106 East Street has been submitted, and can be scheduled for the September meeting. This is the property for which the Board approved the concept of a three-family, and the applicant had to wait two years from the Board's previous denial to resubmit.

Staff has met with proponents of a waterpark at the Best Western Hotel site. It will require a special permit from City Council and site plan review from the Planning Board.

Board was presented a draft zoning change that would include testing for a wind turbine as an exempt use. Board wishes to discuss it further at their next meeting.

**Meeting Minutes**

Motion made & seconded to approve minutes of the July 17<sup>th</sup> meeting as corrected..  
Vote unanimous to approve.

**ANR plans**

The Board reviewed and endorsed the following "ANR" plans::

Gorman Realty Partners, 23 Pleasant St.

Plan splits parcel with two buildings on it -- 23 Pleasant St & 40-48 Prichard St.

Parkhill LLC, Electric Ave.

Plan splits parcel at Parkhill Plaza. Lot 1 - retail bldg., Lot 2 - Fitchburg Savings Bank.

**MINOR SITE PLAN REVIEW**

293 Bemis Road, Beaudoin, plumbing/beauty shop/office (continued from 7-17-07)

Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)

Action: Approved

Owner Keith Beaudoin presented plan. They're looking to have the driveway entrance widened, & to square off the existing parking lot.

The Board requested that they install landscaping along the edge. They've moved the dumpster to the back corner behind the building, out of sight. The Board said they'd still like to see a decorative enclosure.

Project was approved unanimously, subject to a decorative enclosure around the dumpster, and approval by DPW Engineering for stormwater, and installation of landscaping.

30 John Fitch Hwy., Geronimo Properties, 5,000 sq. ft. commercial building

*Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)*

Action: Approved

Paul DiGeronimo, Geronimo Properties & Kent Oldfield, Boucher Construction present.

Paul DiGeronimo presented. Said that the front wall is to be removed and brought back for parking and egress improvements. Space is currently 5,600 square feet, and will be reduced in size to 4,800 square feet. Kent Oldfield of Boucher Construction was introduced as the project engineer. They intend to put a 3-foot wide landscaping strip along the edge of Bemis Road and increase the landscaped area around the sign. The current building sits below grade -- they'll be raising it. The proposed parking meets zoning requirements. Said they'll be installing a fence along the edge of the retaining wall in the rear, and a chain link fence with vinyl slats around the dumpster.

Motion made & seconded to approve Site plan with conditions:

- Comply with Fire & Water Dept. comment letters
- Install and maintain landscaping per plan.
- Building to be similar to architectural rendering presented at 8-21-07 Planning Board meeting.
- Railing/fencing to be installed on retaining wall adjacent to Town & Country parcel to rear.
- Install and maintain fence around dumpster.

Vote 7-0 to approve.

## **OTHER BUSINESS**

Bovenzi, Inc. - concept plan - Oak Ridge & Chamberlain Hill expansion, off Franklin Rd.

Peter Bovenzi presented concept plan. He said he eliminated the four houses along Franklin Road shown on previous versions of the concept plan. They'd like to use the parcel known as Fairmount Street extension as an entrance for the development. They hope to make post and beam replicas of an old house on Franklin Road he renovated.

He's trying to engineer a way to continue the steam line trail under the railroad and continue the trail onto his property and beyond toward DEM land, but not down Fairmount Street extension towards Burma Road.

He said he's done most of the traffic improvements on Franklin Road required by the previous special permits for Oak Ridge & Chamberlain Hill, but he hasn't done the drainage or the rock outcroppings. He feels the drainage area needs piping, catchbasins, and a real drainage system installed.

The driveway improvements to Reingold School, a condition of Chamberlain Hill, has expanded into a \$200,000 project. He said he's spent more than the required \$25,000 budget on design and engineering costs so far.

Patricia Chabot, 474 Fifth Mass. Tpk.: Are the proposed units single family?  
Yes, on the west (Chamberlain Hill) side.

Michael Perry, 1260 Franklin Rd.: Is the plan to scale? Ans.: Yes  
It's a rural residential zone, so why doesn't he need two acres per unit?  
Ms. Caron: because it's a proposed Planned Unit Development.

Michael Perry: The intersection of Fifth Mass Turnpike and Franklin Road needs a stop sign.

Peter Chabot: Do we really need 80 more units of housing on Franklin Road? I don't see how this area can support any more homes.

Joan Gaudreau, 436 Fifth Mass. Tpk.: The stone wall at the intersection holds up my property.

The house has been there since 1780.

Peter Bovenzi says that she owns the wall.

Francine Anderson, 37 Jeffrey Street: She has seen the increase in traffic on Electric Avenue from the other Bovenzi developments, and she feels that this one will cause problems. There needs to be greater consideration of the whole south side area regarding traffic.

Issue of truck exclusion on Franklin Road was raised. Peter Bovenzi said that the truck exclusion was passed by council, and the city is waiting on the state for their approval.

Peter Bovenzi said that they've petitioned Unitil to have the utility poles moved from the edge of the road.

Someone said that Peter Bovenzi was going to buy a mobile speed limit sign and pay for traffic patrols.

Peter Bovenzi said that he did both things, but that he has no control over where the sign is located.

Councilor Jay Cruz requests that a study be done for signage that would monitor speed, also speed limit signs, and grades and runoff.

Peter Bovenzi said he's considering a community area with two tennis courts and a swimming pool and community room for the projects which would be available to the neighborhood. He also said he will propose the single-family homes on their own parcel.

## **PUBLIC HEARINGS**

### **Special Permit modification - Lifestyle Builders, "Westminster Hill Village" condominiums**

(continued from 7-17-07)

*Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Slattery (5)*

*Action: Denied*

(Ms. Maynard & Mr. Hurley not at previous session -- not eligible to vote.)

David Streb stated to the Board that he had a discussion with Mark Biller that afternoon and explained that since the modification request was for the proposed consecutive water system, and that DEP had denied the consecutive water system, the proposed special permit modification was moot, and the Board should give the petition leave to withdraw. Mr. Streb further explained that the water department and the applicant have reached consensus that the water system will include modifications to the Montachusett pump station and a water tower to service the site, pursuant to the original plan.

Ms. Paul Fontaine moved to deny the requested Special Permit modification. Motion seconded.

Vote 5-0 to deny the Special Permit modification.

Mr. Streb also reminded that the Board had granted a 90-day extension of the latest special permit modification which will expire 9-19-07. Lifestyle Builders is expected to ask for another extension. The abutters requested to be notified when the applicant submitted an extension request for the project, and Mr. Streb promised to do so.

**Site Plan Review - Wachusett Development, 41 Sheldon St., building trade shops**

(continued from 8-21-07)

*Voting members present: Caron, DiPasquale, DiPietro, Hurley, Maynard, Slattery (6),  
(Mr. Paul Fontaine recused himself since an abutter.)*

*Action: Approved.*

Patrick McCarty presented. He read the various elements of the proposed trail easement language. He pointed out various elements of the landscaping plan and a rendering of the buildings appearance from the river side. He also showed pictures of other buildings in the neighborhood.

Scott Morrissey of Wachusett Development said that anything they build looks good.

Mr. Hurley - anything new on this site will look better. He's principally concerned about the trail.

Motion made & seconded to Approve Special Permit subject to a mutually agreeable easement approved by the City Solicitor. Vote 5-1 in favor. (Mr. DiPietro in opposition).

**Site Plan review - Fitchburg Red Brick River Mill, Inc., 1146 Main St., mill conversion**

*Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)*

*Action: Approved.*

Applicant Yvon Robichaud, Jr. & Atty. John Bowen present.

Atty. Bowen had requested a determination from Building Commissioner Michael Gallant. Mr. Gallant's letter dated 8-15-07 stated that the building is not in the Mill Inventory Overlay District, and that the proposed variety store does not require a special permit, but is allowed by right, as a permitted accessory use, subject to site plan review by the Planning Board.:

The Board voted unanimously to give the Special Permit application leave to withdraw.

Atty. John Bowen presented. Seven spaces are shown on the parcel land abutting the mill, and will be parked on grass. It will eliminate run-off from the site and the need for cuts and fill. Bricks will delineate the parking spaces.

Atty. John Bowen introduced Santo Viola who will manage the store to be called "Riverside Variety". Mr. Viola owns a convenience store in Cleghorn, on Fairmount Street.

**Public Comment:**

Gloria Spadaro, Chestnut St. - Asked when Mr. Viola's store is open. She said there is not a neighborhood variety store that is open past 10:00 p.m. She'd like to see the hours of operation limited to 10 p.m. The grass lot is not dust-free. She'd like to see the parking lot paved.

Jeronica Fuller, Arlington St. - She doesn't feel that the store y should be allowed in the neighborhood at all. She feels traffic has lessened since Boomtown Variety closed.

Paul Puputti, Goddard Street -- He said there are three crack houses on his street -- the variety store didn't bring drugs to the neighborhood. The variety store is important to the neighborhood. There's a lot of kids that come into the store for candy.

Jeff Boutelle, 1060 Main Street -- The store is very convenient for the neighborhood, particularly for those on fixed incomes who can't afford a cab ride to the supermarket.

Board discussed need for limiting hours of operation, lease term of the parking area, and video monitoring of the exterior.

Atty. Bowen -- The lease of the adjacent parcel to be used for parking is month to month because Yvon Robichaud is the sole stockholder of the mill, and sole beneficiary of the realty trust that owns the land next door for parking. He also said that hours of operation exceed the purview of the board -- that all issues should pertain to the physical issues of the site.

Motion made & seconded to Approve Site Plan with conditions:

- Modify lease for adjacent parking lot to last as long as site is a convenience store, not just month to month. Lease to transfer with ownership of the store
- Pave adjacent parking area. Paving limited to installing the seven spaces shown on revised site plan and room for turnaround of cars. Remainder of lot to river edge (approx. 20 feet width) to remain grassed and kept in neat condition.
- Provide video monitoring (and recording) of parking lot from inside store.
- Hours of operation limited to 6:00 a.m. - 12:00 midnight.
- Install and maintain landscaping and lighting per plan.
- Six-month review from the date of issuance of occupancy permit.

Vote 6-1 to Approve. (Ms. Caron in opposition).

#### **Special Permit - McSweeney/Delay, Oakland St. & Linwood St., 5-unit PUD**

*(continued from 8-21-07)*

*Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)*

*Action: approved.*

Mr. McSweeney is proposing four single-family dwellings on Oakland Street and one on Linwood Street. They investigated several matters that had been concerns at previous meetings. They had proposed the sewer manhole and valve for the E-1 sewer system on their property, but the DPW -Engineering would prefer it on city property. The city will plow to the end of Oakland Street, upon its acceptance as a public way. When it becomes public, trash will be collected for the houses, except that the Linwood house will have to bring the trash to Lunenburg Street. McSweeney will pave 190 feet of Linwood Street 12 feet wide. A mailbox will be placed at the corner of Linwood Street and Lunenburg Street for mail. Each house will have an underground irrigation system. He'll provide Mr. LeBlanc (abutter on Linwood St.) a 15-foot wide strip for tenants to park, and will erect a fence. Also, he'll take down four trees for him.

Public Comment:

Mrs. Paajanen, 36 Oakland St. - concerned about the sewer line & visitor parking. Also asked if the street will be paved to Lunenburg Street. Traffic in and out of Oakland Street is an issue for them. Also, expressed concern that a notice for this hearing wasn't sent.

Motion made & seconded to Approve Special Permit, subject to:

- construction per architectural drawings
- 15-foot strip of land deeded to abutter LeBlanc, and cutting 4 trees
- standard PUD conditions

Specific conditions to follow. Board voted 7-0 to grant Special Permit.

#### **Special Permit - American Legion Post 429, Beech St. & Daniels St., 18-unit PUD**

*(continued from 8-21-07)*

*Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Maynard, Slattery (6)*

*Action: Approved.*

Mr. Hurley stated since he was a Legion member, he would recuse himself and left the room.

Pat McCarty, P.E. & Post Commander, Harold Brown present.

Pat McCarty said that they changed plan to provide 13 overflow parking spaces with 16 proposed units vs. 18 units. Also, access drive widened to 28 feet from 22 feet. Lots to be striped and paved. He handed out responses to Water Department comments to each board member, and read the comments and responses.

Dan McCarty said that the condo association will keep the entrance free from snow, and the condo docs will reflect that. Units will be two-BR, 1,000 +/- sq. ft. each. Napoleon Street will be granted a parking easement.

The site driveway off Beech Street is 247 feet long.

There will be exterior lights on each unit. Board requested two additional decorative street lights by unit 1 and 16, and a light near the recreation area.

Motion made & seconded to Approve Special Permit subject to parking easement on Napoleon Street, three street lights as discussed, Planning Board review & approval of elevation and floor plans  
Board voted 6-0 to approve Special Permit.

**Site Plan Review - DiNinno, 931 South St. (corner Wanoosnoc Rd.) new 6,900 office/medical building** (continued from 8-21-07)

*Voting members present: Caron, DiPasquale, DiPietro, Fontaine, Hurley, Maynard, Slattery (7)*

*Action: Approved.*

Chris Deloge of Whitman & Bingham presented and passed out elevation renderings.  
Revised plans were presented that showed more landscaping, and a final count of arbor vitae.

Mr. John DiPasquale asked if the entrance could be off South Street.

Ans.: No, grade too steep. Therefore, the entrance to the site should be moved further up the hill on Wanoosnoc, as that area is very dangerous.

Steven Holt, 152 Olin Ave -- Will you be able to look into other people's properties to the rear from the upper floors?

Ans.: No, just Mr. Cordio, 360 Wanoosnoc Rd., next door.

He also asked what's the height of the retaining wall along South Street? A: 6 feet.

Motion made & seconded to Approve Site Plan with the following conditions:

- 3-4 foot wide mulched area with plantings along South Street edge of building.
- Realigned driveway with entrance up the hill
- Subject to submittal and review of approved drawings.

Board voted 7-0 to approve.

**OTHER BUSINESS**

Parker Hill Estates subdivision

Ken Mattson, Atty. George Watts

Asked to have three items referenced in the approval for the site delayed until September, 2008. The three items are a new sewer on Hemlock Drive, \$10,000 for a Westminster Hill Road planning study, and water systems improvements Water Dept. wanted. Councilor Kaddy wasn't in attendance, but Atty. Watts said that Councilor Kaddy would have expressed his concern about delaying the proposed sewer installation on Hemlock Drive.

Board voted to allow the delay of the three items to be completed no later than until September, 2008, but that the sewer improvements should begin as soon as possible in April, 2008.

Meeting adjourned 10:32 p.m.

Next meeting: September 18, 2007

Approved: September 18, 2007